



NEWS RELEASE

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SITKA BROTHERS INDICTED BY FEDERAL GRAND JURY
FOR SUBSISTENCE FISHING VIOLATIONS

Anchorage, Alaska – United States Attorney Nelson P. Cohen announced that on October 17, 2007, Jesse Rivera, Mario Rivera and Artemio F. Rivera of Sitka, Alaska, were indicted by a federal grand jury in Anchorage on charges of conspiracy to violate the Lacey Act and wildlife trafficking. An additional charge seeks the forfeiture of a boat.

The seven-count indictment named Jesse, age 37, Mario, age 40, and Artemio, age 30, as the only defendants.

According to the indictment, brothers Jesse Rivera, Mario Rivera and Artemio Rivera were holders of Subsistence Halibut Registration Certifications issued for the Sitka Sound subsistence halibut fishery in 2003. The indictment charges that from June 1, 2001 through October 2003, Jesse, Mario and Art Rivera conspired with each other to commercially catch and ship over 10,000 pounds of subsistence-caught halibut to Seattle, Washington, in violation of federal subsistence halibut regulations, Alaska state law, and the federal Lacey Act, all of which prohibit the commercial sale of subsistence-caught wildlife.

The indictment also separately charges Jesse Rivera, Mario Rivera, and Artemio Rivera with two counts each of wildlife trafficking in violation of the Lacey Act, for transporting and selling illegally-taken wildlife. The last count of the indictment seeks forfeiture of a 20' Boston Whaler, including its engines, gear and tackle, which was used by the Riveras to collect and transport the illegally-taken halibut.

Assistant United States Attorney Steven E. Skrocki, who presented the case to the grand jury, indicated that the law provides for a maximum total sentence of five years in prison for each count and a fine of \$250,000, or both. Under the Federal Sentencing Guidelines, the actual sentence imposed would be based upon the seriousness of the offenses and the prior criminal history, if any, of the defendant. The defendants were released on bond pending trial.

The National Oceanic and Atmospheric Administration, Division of Law Enforcement in Sitka, Alaska, conducted the investigation leading to the indictment in this case.

An indictment is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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